

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-25 were originally presented.

Claims 12-25 are canceled without prejudice.

Claim 26 is added.

Claims 1-11 and 26 remain in this application.

Claim Objections

Claims 7 and 8 are objected based on informalities. Reconsideration is requested.

Claims 7 and 8 have been amended to recite "a particular model or device of a printing device". The "printing device" as recited in claims 7 and 8 is directed to any general printing device, and is not specific to either the first or second printing device recited in claim 1.

Applicant respectfully requests that the objections of claims 7 and 8 be withdrawn.

35 U.S.C. §112

Claim 6 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which the applicant regards as the invention. Claim 6 has been amended to address the §112 rejection. Applicant respectfully requests that the §112 rejection of claim 6 be withdrawn.

35 U.S.C. §103

Claims 1-5 and 7-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 5,789,732 McMahon et al (McMahon) in view of U.S. Patent No. 5,835,817 to Bullock et al (Bullock). Reconsideration is requested.

Independent claim 1 recites "[a] method comprising:

retrieving printing device data from component memory on a replaceable component used in a first printing device;

storing the printing device data in a marketing database;

associating the printing device data with the first printing device;

searching the marketing database for a second printing device that meets certain search criteria associated with the printing device data; and

applying a pre-determined marketing solution for the second printing device found to meet the search criteria."

McMahon teaches a consumer data device (CDD) comprised of a plastic encased, credit card size case containing a memory for data and transaction retention. (McMahon, col. 1 lines 30-31). The CDD may be considered a portable data storage and retrieval device that consumers use to replace "paper" transactions and exchanges of information. The CDD is particularly directed to enable numerous methods and concepts to replace coupons, rainchecks, product information, recipes, and acquire consumer information. (McMahon, col. 1 lines 55-60). The CDD is a self contained standalone device carried and used by a customer for various commercial transactions, such as raincheck generation (McMahon, col. 2 line 28 to col. 3 line 37), and coupon issuance (McMahon, col. 3 line 38 to col. 4 line 36). Particularly using the coupon issuance transaction,

1 information (i.e., buying history at the particular store) is accessed from the CDD
2 (McMahon, col. 4 lines 10-19).

3 The Action presents that McMahon teaches "a method for retrieving data
4 from the memory on a replaceable component (consumer card 10 or CDD)";
5 "associating the data with a product (purchasing history of the consumer)";
6 teaches "searching the database for the product (coupon and promotional discount
7 opportunities that can be used in the current visit); and "applying a predetermined
8 marketing solution (download coupon and promotional discount opportunities that
9 are redeemed at the point of sale).

10 McMahon fails to teach or suggest "retrieving data from the memory on a
11 replaceable component". The Action relies on the CDD of McMahon as a
12 replaceable component; however, the CDD is a standalone device that is not a
13 replaceable component of any device. McMahon fails to teach or suggest
14 "associating the printing device data with the first printing device" as recited in
15 claim 1. Purchasing history of the consumer as taught in McMahon is general and
16 does not associate data to a particular product, and specifically a first printing
17 device. McMahon fails to teach or suggest "searching the marketing database for
18 a second printing device that meets certain search criteria" as recited in claim 1.
19 McMahon teaches creating coupon and promotional discount activities; however,
20 no second product (printing device) is searched based on certain search criteria.
21 Furthermore, McMahon fails to teach or suggest "applying a pre-determined
22 marketing solution for the second printing device found to meet the search
23 criteria", since a second product (printing device) is not particularly searched for.

24 The Action admits that "[w]hile McMahon is a memory on a replaceable
25 component used for products in general, the memory is not specific to data

1 associated with a component used in a first printing device.” In other words,
2 McMahon does not specifically teach the use of a printing device, or data
3 associated with a component in a printing device. Therefore, the Action looks to
4 Bullock as teaching “a memory on a replaceable component used in a first printing
5 device (cartridge stores data on its memory chip, col. 7 lines 55-60)”.

6 Bullock is directed to a printer/copier apparatus that receives a replaceable
7 ink cartridge (i.e., replaceable components). (See Abstract of Bullock). Bullock
8 teaches a memory component 40 that is part of an interface board 54. The
9 interface board 54 is part of a replaceable component 50. The replaceable
10 component 50 is further part of a printer 38. (See Bullock, col. 4, lines 36-55). In
11 order to combine McMahon with Bullock, there would need to be some
12 motivation to use the replaceable component taught by Bullock in place of the
13 CCD taught by McMahon; however, since the CCD of McMahon is a self
14 contained standalone unit, it would not have been obvious to use the replaceable
15 printer component of Bullock in place of the CCD of McMahon.

16 The Action states “Applicant’s method includes applying a marketing
17 solution for a ‘second’ printing device that meets certain criteria based on printing
18 device data about a ‘first’ printing device, i.e., a marketing strategy based on data
19 about previously consumed products. The use of the descriptor(s) first and second
20 are not of particular importance insofar as the claim has not distinguished them
21 from each other and the first and second printing device can be the same type of
22 printing device.”

23 The information or “printing device data” derived from the “first printing
24 device” is used in “applying a pre-determined marketing solution for the second
25 printing device”. This is of particular importance, such that marketing solutions

1 for different (i.e., the second) printing devices can be created based on printing
2 device data derived from known (i.e., the first) printing devices.

3 The Action further states “[a]lternatively, if the first and second printing
4 devices are different, such a strategy is well known in the marketing field (at page
5 2 under MARKETING, the Magnet article, Who's winning the information
6 revolution, describes an example of the marketing solution of using one product to
7 recommend or entice a consumer to buy a different / compatible / substitute
8 product based on prior consumption patterns).”

9 Magnet teaches a marketing system that issues coupons as promotions
10 based on consumer purchases. The consumers may or may not elect to use the
11 coupons. Based on the issuance and use of the coupons, buying patterns can be
12 determined. (See “Marketing” section of Magnet, on page 2). The Action argues
13 that Magnet “describes an example of the marketing solution of using one product
14 to recommend or entice a consumer to buy a different/compatible/substitute
15 product based on prior consumption”; however, there is no motivation to combine
16 coupons issued and used in a store as taught in Magnet, with self contained
17 standalone CCD of McMahon, and the replaceable component of Bullock.

18 Accordingly, a combination of McMahon, Bullock, and Magnet fails to
19 teach or suggest every element of claim 1, and the rejection of claim 1 is therefore
20 improper. Applicant respectfully requests that the §103 rejection of claim 1 be
21 withdrawn.

22 **Dependent claims 2-5, 7-11** are allowable at the least by virtue of their
23 dependency on base claim 1. Applicant respectfully requests that the §103
24 rejection of claims 2-5, 7-11 be withdrawn.

25

1 Dependent claim 3 further recites “[t]he method as recited in claim 1,
2 wherein the printing device data further comprises information regarding an
3 environment of the first printing device and the search criteria includes a printing
4 device environment criterion”. The Action argues that “the data stored about the
5 printing device in the McMahon and Bullock combination is an ‘environment’
6 insofar as the information is about the use of the printing device and its
7 component. The ‘environment,’ as broadly recited, is printing”.

8 In the specification, “environment” is directed to computing environments,
9 such as distributed computing environments. Therefore, the search criteria may be
10 based on a particular computing environment. Neither McMahon nor Bullock nor
11 a combination of McMahon and Bullock teaches that the “search criteria includes
12 a printing device environment criterion” as recited in claim 3.

13 Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over the
14 combination of McMahon and Bullock, in further view of U.S. Patent No.
15 5,625,816 to Burdick et al (Burdick). Reconsideration is requested.

16 **Amended dependent claim 6** depends on claim 1 and benefits from the
17 arguments in support of claim 1, and therefore is allowable at the least by virtue of
18 its dependency on claim 1.

19 Claim 6 further recites “wherein: the marketing database further comprises
20 quality control data that identifies problems with certain products when used under
21 certain conditions; and further comprising: searching the marketing database for a
22 product that is used under a condition identified by the quality control data.”

23 Burdick teaches providing engineering data related to the manufacture of
24 semiconductor devices in a uniform format in a centralized database and accessing
25 the database. (Burdick, col. 1 lines 5-9). In particular, reliability data is

1 determined as to a particular manufactured product. (Burdick, col. 3, lines 16-19).
2 The reliability data is directed to how well the product performs after it has been
3 manufactured; however, there is no teaching as to how the product performs in a
4 device such as a printer (i.e., "identifies problems with certain products when used
5 under certain conditions" as recited in claim 6). In other words, the reliability data
6 is not directed to how the product or component performs as part of a system or
7 within a device such as a printer. Therefore, it would not have been obvious to
8 combine the reliability data as taught in Burdick with McMahon and Bullock,
9 since Burdick is directed to tracking manufactured products and fails to teach or
10 suggest identifying problems when used under certain conditions.

11 Applicants respectfully request that the §103 rejection of claim 6 be
12 withdrawn.

13
14 **New Claim**

15 Claim 26 has been added and depends from claim 1. Claim 26, in
16 particular, recites "wherein the replaceable component is a replaceable component
17 used during by printing by the first printing device. The references cited by the
18 Action do not teach this element. Therefore, Applicant believes claim 26 to be
19 allowable over the prior art.
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CONCLUSION

All pending claims 1-11 and 26 are in condition for allowance. Applicants respectfully request reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

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Respectfully Submitted,

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